

UNAPPROVED - DRAFT

BOARD OF DENTISTRY

**MINUTES
CREDENTIALS COMMITTEE MEETING**

TIME AND PLACE: The Credentials Committee convened on April 20, 2007, at 9:32 a.m. at the Department of Health Professions, 6603 W. Broad Street, Richmond, Virginia.

FIRST CONFERENCE: 9:32 a.m.

PRESIDING: Misty L. Sissom, R.D.H.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Alan Heaberlin, Deputy Executive Director
Cheri Emma-Leigh, Operations Manager
Gail W. Ross, Adjudication Specialist

QUORUM: All three members were present.

**Lynelle Shryock, R.D.H.,
Applicant
Case No. 112968** Lynelle Shryock, R.D.H. appeared without counsel to discuss her application for licensure by endorsement to practice dental hygiene and allegations that she may have violated laws and regulations governing the practice of dental hygiene in that, on or about May 2006 to January 2007, she practiced dental hygiene in Virginia without a current, active license.

The Committee received Ms. Shryock's statements and discussed her application with her.

Closed Meeting: Dr. Pirok moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Lynelle Shryock, R.D.H. Additionally, Dr. Pirok moved that Board staff, Sandra Reen, Alan Heaberlin and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the

Committee in its deliberations.

Reconvene

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Dr. Pirok moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee. The motion was seconded and passed.

Decision:

Ms. Sissom reported that the Committee's decision is to recommend to the Board at its next Board meeting on June 8, 2007 approval of Ms Shyrock's application with Findings of Fact and Conclusions of Law that Ms. Shyrock violated §§ 54.1-2706(9) and 54.1-2722.A of the Code and 18 VAC 60-20-80(7) of the Regulations, in that from in or about May 2006 to January 2007, she practiced dental hygiene in Virginia without a current, active license. Further, Ms. Sissom stated that it is the decision of the Committee to recommend sanctions of a reprimand and a \$1,000.00 monetary penalty. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE:

10:15 a.m.

PRESIDING:

Misty L. Sissom, R.D.H.

MEMBERS PRESENT:

Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.

STAFF PRESENT:

Sandra K. Reen, Executive Director
Alan Heaberlin, Deputy Executive Director
Cheri Emma-Leigh, Operations Manager
Gail W. Ross, Adjudication Specialist

QUORUM:

All three members were present.

**Negar S. Tehrani, D.M.D.
Case No. 112750**

Negar S. Tehrani, D.M.D. appeared without counsel, to discuss her application by examination for a license to

practice dentistry in Virginia, and allegations that she may have violated laws and regulations governing the practice of dentistry in that she has not successfully completed a clinical examination acceptable to the Board.

The Committee received statements on behalf of Dr. Tehrani from Chang Yi, D.D.S.

The Committee received Dr. Tehrani's statements and discussed her application with her.

Closed Meeting:

Dr. Pirok moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Negar Tehrani, D.M.D. Additionally, Dr. Pirok moved that Board staff, Sandra Reen, Alan Heaberlin, and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene

On a properly seconded motion by Dr. Pirok, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Sissom reported that the Committee's decision is to recommend to the Board the Findings of Fact and Conclusion of Law that Dr. Tehrani violated § 54.1-2709.B(iv) of the Code, in that she has not successfully completed a clinical examination acceptable to the Board.

Further, Ms. Sissom stated that it is the decision of the Committee to recommend denial of Dr. Tehrani's application to the Board at its next Board meeting on June 8, 2007. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE: 11:00 a.m.

PRESIDING: Misty L. Sissom, R.D.H.

MEMBERS PRESENT: Darryl J. Pirok, D.D.S.
Jeffrey Levin, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Alan Heaberlin, Deputy Executive Director
Cheri Emma-Leigh, Operations Manager
Gail W. Ross, Adjudication Specialist

QUORUM: All three members of the Committee were present.

**William E. Mack, Jr., D.D.S.
Case No. 112935** William E. Mack, Jr., D.D.S. appeared without counsel, to discuss his application for a license to practice dentistry in Virginia, and allegations that he may have violated laws and regulations governing the practice of dentistry in that:

1. By Notice of Automatic Suspension dated December 8, 2000, the Ohio State Dental Board ("Ohio Board") automatically suspended his license to practice dentistry in that jurisdiction when he failed to provide documentation demonstrating that he completed the requisite continuing education for the 1998-1999 biennium; and
2. By Consent Agreement effective January 18, 2001, the Ohio board placed his license on probation, subject to terms, conditions, and limitations, in lieu of proceeding to a hearing related to the automatic suspension.

The Committee received Dr. Mack's statements and discussed his application with him.

Closed Meeting: Dr. Pirok moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(28) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of William E. Mack, Jr., D.D.S. Additionally, Dr. Pirok moved that Board staff, Sandra Reen, Alan Heaberlin, and Cheri Emma-Leigh, and Administrative Proceedings Division staff, Gail Ross,

attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene

On a properly seconded motion by Dr. Pirok, the Committee certified that only matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Committee.

The Committee reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision:

Ms. Sissom reported that the Committee's decision is to grant Dr. Mack a license once he provides documentation that he has completed and passed a four (4) hour continuing education course in Virginia dental laws. The Committee authorized Ms. Reen to issue a license to Dr. Mack upon receipt of documentation that he has completed the course. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

DISCUSSION:

Ms. Reen discussed a recent application review decision where the Committee members indicated that passage of a clinical examination was required for a temporary permit. She then reviewed the provisions for temporary permits in the Code of Virginia at §54.1-2715 which prohibits issuance to someone who has failed an examination and the regulatory requirement for passage of an acceptable examination in 18 VAC 60-20-70. She reported that questions were raised to Mr. Casway, the Board's legal counsel, about the basis for requiring passage of an examination and that Mr. Casway has advised that given the current law and regulations on licensure that passage of a clinical examination cannot be required for a temporary permit. She asked the Committee if it wanted to accept this guidance or to have the opportunity to discuss it with Mr. Casway. Dr. Levin moved to adopt the guidance that passage of a clinical examination is not required in order to issue a temporary

permit. The motion was seconded and passed.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 11:45.m.

Misty L. Sissom, R.D.H., Chair

Sandra K. Reen, Executive Director

Date

Date